

SUPREME COURT OF ARIZONA

In the Matter of	)	Arizona Supreme Court
	)	No. R-24-0025
RULES 14.4 AND 17.2, RULES OF	)	
CRIMINAL PROCEDURE	)	FILED 8/22/2024
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	)	
	)	

**ORDER AMENDNING
RULES 14.4 AND 17.2 OF
THE RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rules 14.4 and 17.2 of the Rules of Criminal Procedure and comments having been received, upon consideration,

IT IS ORDERED that Rules 14.4 and 17.2 of the Rules of Criminal Procedure are amended in accordance with the attachment to this order, effective January 1, 2025.

DATED this 22nd day of August, 2024.

_____/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Rule 28 Distribution
Jerry G Landau
Anna Huberman
Elizabeth Burton Ortiz
Rachel H Mitchell
Blaine D Gadow
Lina G Garcia
Rosemarie Pena-Lynch
Steve B Koestner
Sherri McGuire Lawson
Gary M Kula
Shannon L Burns
Krista Wood
Lisa Bivens
Lisa M Panahi
Gerald A Williams

ATTACHMENT¹

RULES OF CRIMINAL PROCEDURE

Rule 14.4. Proceedings at Arraignment

At an arraignment, the court must:

(a)-(d) [No change]

(e) inform the defendant of the following:

(1)-(4) [No change]

(5) all proceedings may be held in the defendant's absence, other than sentencing;
and

(6) [No change]

(7) conviction of a crime may have collateral consequences, including but not limited to immigration consequences; and

(8) conviction of a felony offense will result in certain civil rights being suspended;

(f)-(v) [No change]

* * *

Rule 17.2. Advising of Rights and Consequences of a Guilty or No Contest Plea

(a) [No change]

(b) ~~Immigration Advisement~~ Collateral Consequences.

(1) Civil Rights. In pleading to a felony offense, the court must advise that a plea will affect the defendant's civil rights and specifically state:

"If you are convicted of a felony offense, certain civil rights will be suspended. These rights include the right to vote, serve as a juror, hold public office, and possess a firearm."

~~(1) Advisement.~~ (2) Immigration. The court must advise that a plea may have immigration consequences and specifically state:

"If you are not a citizen of the United States, pleading guilty or no contest to a crime may affect your immigration status. Admitting guilt may result in deportation even if the charge is later dismissed. Your plea or admission of guilt could result in your

¹ Additions to the text of the rule are shown by underscoring and deletions are shown by ~~strike-through~~.

deportation or removal, could prevent you from ever being able to get legal status in the United States, or could prevent you from becoming a United States citizen.”

(3) *Other Collateral Consequences.* The court must generally advise that a plea may have other collateral consequences but need not specify precisely what they may be.

(24) *Advisement Before Admission of Facts.* A court also must give the advisement in (b)(4) before any admission of facts sufficient to warrant a finding of guilt, or before any submission on the record.

(3) *Disclosure of Immigration Status.* (c) **Disclosure of Immigration Status.** A court may not require a defendant to disclose his or her legal status in the United States.